

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>TH</sup> STREET, N.W. SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF

Steve Gaither  
Program Analyst  
Office of Contracting & Procurement  
107 Park Valley Road  
Silver Spring, MD 20910

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DATE: February 10, 2003

DOCKET NO.: 02F-026

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to the D.C. Official Code §1-1106.2 (2001 Edition), Steve Gaither, Program Analyst with the Office of Contracting & Procurement, failed to timely file, a Financial Disclosure Statement for calendar year 2001, on or before May 15, 2002 as required by the D.C. Official Code §1-1106.2 (2001 Edition) and also failed to file on or before the OCF sanctioned extended filing date of June 6, 2002.

By Notices of Hearings, Statements of Violations and Orders of Appearance dated July 19, 2002 and August 9, 2002, OCF ordered Steve Gaither (hereinafter respondent), to appear at scheduled hearings on August 5, 2002 and August 19, 2002 and show cause why he should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by the D.C. Official Code § 1-1101 et seq. and fined accordingly.

**Summary of Evidence**

OCF alleges that the respondent failed to timely file the statutorily required, Financial Disclosure Statement for calendar year 2001, on or before June 6, 2002.

On both August 5, 2002 and August 19, 2002 the respondent failed to appear at the scheduled hearing.

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**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent was required to file a Financial Disclosure Statement for calendar year 2001, on or before June 6, 2002 in accordance with the D.C. Official Code §1-1106.2 (2001 Edition).
2. Respondent to date has not filed a Financial Disclosure Statement for calendar year 2001, with OCF.
3. Respondent to date has not provided an explanation for failing to timely file a Financial Disclosure Statement for calendar year 2001, with OCF.

**Conclusions of Law**

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated the D. C. Official Code §1-1106.2.
2. The penalty established at D. C. Official Code §1-1103.5(b) (3), 3DCMR §§3711.2(y), 3711.3 and 3711.4 for failure to timely file a Financial Disclosure Statement required by the D.C. Official Code § 1-1106.2 is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code §1-1103.5(b) (3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3 DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent has failed to provide a basis for a finding of good cause.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$2,000.00 against Steve Gaither, for failing to timely file a Financial Disclosure Statement for calendar year 2001.

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Date

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William O. SanFord  
Hearing Officer

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**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that a fine of \$2,000.00 be imposed against Steve Gaither for failing to timely file a Financial Disclosure Statement for calendar year 2001, in violation of D.C. Code §1-1106.2.

\_\_\_\_\_  
DATE

Cecily E. Collier-Montgomery  
Director

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing order.

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Leslie Hatch  
Program Specialist

**NOTICE**

Pursuant to 3 DCMR § 3711.5 (1999), any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000 14<sup>th</sup> Street, NW, Washington, D.C. 20009.

